Memorandum

Date:

November 19, 2014

To:

Honorable Chairwoman Rebeca Sosa

and Members, Board of County Commissioners

From:

Carlos A. Gimenez

Mayor

Subject:

Application No. 7 in the May 2014 Cycle Applications to Amend the

Comprehensive Development Master Plan

Agenda Item No. 4(E)

The attached resolution addresses a Comprehensive Development Master Plan staff application that appears on the agenda under Commissioner Rebeca Sosa's sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda which, together with this ordinance, were prepared by the Department of Regulatory and Economic Resources.

Jack Osterholt Deputy Mayor



MEMORANDUM

(Revised)

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Honorable Chairwoman Rebeca Sosa and Members, Board of County Commissioners

DATE:

November 19, 2014

FROM:

R. A. Cuevas, Jr.

County Attorney

SUBJECT: Agenda Item No. 4(E)

Pleas	se note any items checked.
	"3-Day Rule" for committees applicable if raised
	6 weeks required between first reading and public hearing
	4 weeks notification to municipal officials required prior to public hearing
	Decreases revenues or increases expenditures without balancing budget
	Budget required
	Statement of fiscal impact required
	Ordinance creating a new board requires detailed County Mayor's report for public hearing
	No committee review
	Applicable legislation requires more than a majority vote (i.e., 2/3's, 3/5's, unanimous) to approve
	Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved	Mayor	Agenda Item No. 11-19-14	4(E)
Veto		•	

RESOLUTION NO.	
TENONO TIOTATIO.	

Override

2014 CYCLE TO MAY RESOLUTION PERTAINING THE **AMENDMENTS APPLICATIONS** REQUESTING PLAN: MASTER DEVELOPMENT COMPREHENSIVE MAYOR OR DESIGNEE DIRECTING THE ACCORDANCE WITH THE TRANSMITTAL INSTRUCTIONS INCLUDED IN THIS RESOLUTION RELATED TO APPLICATION NO. 7, AMENDING THE TEXT OF THE WATER, SEWER AND SOLID WASTE ELEMENT OF THE CDMP; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 7; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the Miami-Dade County Board of County Commissioners ("Board") adopted the Miami-Dade County Comprehensive Development Master Plan ("CDMP") in 1988; and

WHEREAS, the Board has provided a procedure, codified as Section 2-116.1 of the Code of Miami-Dade County, Florida, to amend, modify, add to, or change the CDMP; and

WHEREAS, Miami-Dade County's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes; and

WHEREAS, applications to amend the CDMP may be filed with the Planning Division of the Department of Regulatory and Economic Resources ("Department") by private parties or by the County; and

WHEREAS, Application No. 7 was filed by the Miami-Dade County Water and Sewer Department in the May 2014 cycle of applications to amend the CDMP ("May 2014 CDMP Amendment Cycle") and is contained in the document titled "May 2014 Applications to Amend

the Comprehensive Development Master Plan," dated June 23, 2014, and kept on file with the Department; and

WHEREAS, as required by Section 2-116.1, the Department issued its initial recommendations addressing the May 2014 CDMP Amendment Cycle in a report titled "Initial Recommendations May 2014 Applications to Amend the Comprehensive Development Master Plan", dated August 2014 and kept on file with the Department; and

WHEREAS, the Planning Advisory Board, acting as the Local Planning Agency, has acted in accordance with the applicable State and County procedures and has conducted a public hearing and issued recommendation for the disposition of Application No. 7; and

WHEREAS, the Department may issue final recommendations addressing the May 2014 CDMP Amendment Cycle Applications that are transmitted to the reviewing agencies; and

WHEREAS, this Board desires to further evaluate, without prejudice, Application No. 7 filed for review and action during the May 2014 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

<u>Section 1</u>. All matters set forth in the preamble are found to be true and are hereby incorporated by reference as if set forth verbatim and adopted.

<u>Section 2</u>. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor or designee to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the

Mayor or designee to transmit the application to the reviewing agencies, along with all other materials required pursuant to Section 163.3184, Florida Statutes.

Application	Applicant/Representative Location and Size Requested Amendments to the CDMP Text	Transmittal Instruction and/or Recommended Action
7	Miami-Dade County/Bill Johnson, Director, Water and Sewer Department Countywide	
	Requested CDMP Amendments Amend CDMP Policy WS-7A of the Water, Sewer and Solid Waste Element to update Miami-Dade's Water Facilities Work Plan and to require that the Water Facilities Work Plan address climate change and sea level rise that may impact potable water infrastructure and sources.	
	Standard Amendment	

<u>Section 3</u>. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 4. The Board hereby reserves the right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application and proposals following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

<u>Section 5</u>. The Board declares its intention to advertise and conduct one or more public hearings in calendar year 2015 to address the pending May 2014 CDMP Amendment Cycle application.

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The foregoing resolution was offered by Commissioner who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Bruno A. Barreiro Daniella Levine Cava Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of November, 2014. This resolution shall become effective upon the earlier of (1) ten (10) days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

> MIAMI-DADE COUNTY, FLORIDA BY ITS BOARD OF **COUNTY COMMISSIONERS**

HARVEY RUVIN, CLERK

Deputy Clerk

Approved by County Attorney as to form and legal sufficiency.

Dennis A. Kerbel



